

**Notice of Allowability**

Application No.

10/782,870

Applicant(s)

OONO ET AL.

Examiner

Michael P. Mooney

Art Unit

2883

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/18/06 Amdt.
2. ☒ The allowed claim(s) is/are 1 and 4-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

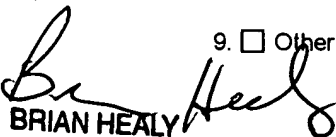
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
BRIAN HEALY  
PRIMARY EXAMINER

The cancellation of claims 2-3, 16-17 is acknowledged.

### ***Election/Restrictions***

Claim 1 is generic to some claims and allowable. Accordingly, the restriction requirement as to the encompassed species is hereby withdrawn and claims 5, 12, 14 are no longer withdrawn from consideration since all of the claims to this/these species depend from or otherwise include each of the limitations of an allowed generic claim.

In view of the above noted withdrawal of the restriction requirement as to the linked species, applicant(s) are advised that if any claim(s) depending from or including all the limitations of the allowable generic linking claim(s) be presented in a continuation or divisional application, such claims may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 44 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

The prior art, either alone or in combination, does not disclose or render obvious wherein the second recess is a precision machined hole and the alignment guide member includes a guide pin fitted in the precision machined hole; and wherein the resin layer contains an inorganic filler having a thermal conductivity higher than that of a resin material forming the resin layer in combination with the rest of either of claims 1, 12, 13, or 14.

It is noted that either of claims 1, 12, 13, or 14 is allowable because the unique combination of each and every specific element stated in either of the said claims.

The prior art, either alone or in combination, does not disclose or render obvious a method wherein a first perforating step of forming the first recess in an unsintered ceramic product by machining; a firing step of firing the unsintered ceramic product to form the ceramic substrate; a resin layer forming step of forming the resin layer in the

Art Unit: 2883

first recess; a curing step of curing the resin layer; a second perforating step of forming the second recess in the resin layer by machining after the curing step; and a guide member fitting step of fitting the alignment guide member in the second recess in combination with the rest of claim 7 for the reasons stated by Applicant in the Remarks section filed 12/2/05.

It is noted that the claim 7 is allowable because the unique combination of each and every specific element stated in the claim.

The prior art, either alone or in combination, does not disclose or render obvious a method including an alignment hole forming step of forming the alignment hole in the optical waveguide; a first perforating step of forming the first recess in an unsintered ceramic product by machining; a firing step of firing the unsintered ceramic product to form the ceramic substrate; a resin layer forming step of forming the resin layer in the first recess; a curing step of curing the resin layer; a second perforating step of forming the second recess in the resin layer by machining after the curing step; a guide member fitting step of fitting the alignment guide member in the second recess in combination with the rest of claim 15 for the reasons stated by Applicant in the Remarks section filed 12/2/05.

It is noted that the claim 15 is allowable because the unique combination of each and every specific element stated in the claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

Art Unit: 2883

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Mooney whose telephone number is 571-272-2422. The examiner can normally be reached during weekdays, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael P. Mooney  
Examiner  
Art Unit 2883

FGF/mpm  
7/27/06

Frank G. Font  
Supervisory Patent Examiner  
Art Unit 2883



BRIAN HEALY  
PRIMARY EXAMINER

*Signing for*  
*FRANK FONT*  
*SPE*